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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)

STATE OF CALIFORNIA ex rel.)	CASE NUMBER 07-cv-04911-SI
JAYDEEN VICENTE and JAYDEEN)	
VICENTE Individually,)	DECLARATION OF JEANETTE HAGGAS
)	IN SUPPORT OF PLAINTIFFS'
Plaintiffs,)	OPPOSITION TO DEFENDANT ELI LILLY
)	AND COMPANY'S <i>EX PARTE</i> MOTION
vs.)	FOR LEAVE TO PLACE DOCUMENTS
)	UNDER SEAL
ELI LILLY AND COMPANY,)	
)	
Defendant.)	
)	
)	
)	

1 I, Jeanette Haggas, declare:

2 1. I am an attorney duly licensed to practice law before the Courts of the State of
3 California. I am an associate in the law firm of Hersh & Hersh, attorneys of
4 record for Plaintiff in this action. I have personal knowledge of the facts set
5 forth herein and, if called as a witness, could and would competently testify
6 thereto:

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8 2. I make this Declaration in Support of Plaintiffs' Opposition To Defendant Eli
9 Lilly And Company's *Ex Parte* Motion For Leave To Place Documents Under
10 Seal.

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12 3. Attached as **Exhibit A** is a true and correct copy of the Opinion & Order,
13 dated August 3, 2007, in the action entitled, *South Carolina v. Eli Lilly & Co.*,
14 Slip Op., 2007 WL 2261693 (D.S.C. Aug. 3, 2007). In this action, the
15 plaintiff alleged similar claims against Eli Lilly and Company ("Lilly") as the
16 Plaintiffs in the case at bar. The District Court for the District of South
17 Carolina granted plaintiff's motion to remand.

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19 4. Attached as **Exhibit B** is a true and correct copy of the Order Re: Plaintiff's
20 Claim Of Proof, dated August 1, 2007, in the action entitled, *Alaska v. Eli*
21 *Lilly & Co.*, Slip Op., No. 06-88, 2006 WL 2168831, at *2 (D. Ak. July 28,
22 2006). In this action, the plaintiff alleged similar claims against Lilly as the
23 Plaintiffs in the case at bar. The District Court for the District of Alaska
24 granted plaintiff's motion to remand.

- 1 5. Attached as **Exhibit C** is a true and correct copy of the Memorandum
2 Decision And Order Denying Defendants' Motion To Stay And Granting
3 Plaintiff's Motion To Remand, dated September 4, 2007, in the action
4 entitled, *Utah v. Eli Lilly & Co.*, Slip. Op., No. 07-380 (D. Utah Sept. 4,
5 2007). In this action, the plaintiff alleged similar claims against Lilly as the
6 Plaintiffs in the case at bar. The District Court for the District of Utah granted
7 plaintiff's motion to remand.
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- 9 6. Attached as **Exhibit D** is a true and correct copy of the Memorandum And
10 Order, dated June 27, 2007, in the action entitled, *Pennsylvania v. Eli Lilly &*
11 *Co.*, No. 07-1083, 2007 WL 1876531 (E.D. Pa. June 27, 2007). In this action,
12 the plaintiff alleged similar claims against Lilly as the Plaintiffs in the case at
13 bar. The District Court for the Eastern District of Pennsylvania granted
14 plaintiff's motion to remand.
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- 16 7. Attached as **Exhibit E** is a true and correct copy of a press release entitled,
17 "Lilly Announces Updates to the Zyprexa and Symbyax U.S. Labels," dated
18 October 5, 2007, and available online at
19 <http://newsroom.lilly.com/releaseDetail.cfm?ReleaseID=267502>.
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1 8. Attached as **Exhibit F** is a true and correct copy of an article entitled,
2 "Zyprexa Documents," which is available online at
3 <http://www.furiousseasons.com/zyprexadocs.html>.
4

5 I declare under penalty of perjury under the laws of the State of California that the
6 foregoing is true and correct, and that this declaration was executed on October 15, 2007,
7 at San Francisco, California.
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9
10 By s/Jeanette Haggas
11 JEANETTE HAGGAS
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